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Attorneys For Defendant
International Business Machines Corporation

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

RAMBUS INC.,)	Case No. C 10-03736 JSW
)	(Related Case: C 10-04017 JSW)
)	
Plaintiff,)	STIPULATION RE: CASE
v.)	SCHEDULE;
)	
INTERNATIONAL BUSINESS MACHINES)	SUPPORTING DECLARATION OF
CORPORATION,)	ROBERT H. FISCHER
)	
Defendant.)	PROPOSED ORDER
)	

Pursuant to Rule 6-2 and 7-12 of the Local Rules of Practice in Civil Proceedings before the United States District Court for the Northern District of California, Plaintiff Rambus Inc. (“Rambus”) and Defendant International Business Machines Corporation (“IBM”), through their respective counsel of record, wish to advise the Court that the parties have reached a settlement in principle, and accordingly respectfully request, and with the Court's permission, stipulate to an additional two-week extension of the current case schedule to allow the parties to prepare the necessary settlement papers. More specifically, with the Court's permission, the parties hereby stipulate that the current schedule set forth in the April 15, 2011, Stipulated Order [Dkt. 60] be modified as follows:

EVENT	CURRENT SCHEDULE	PROPOSED SCHEDULE
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent L.R. 4-2(a), (b))	May 16, 2011	May 31, 2011
Meet and confer re Joint Claim Construction and Prehearing Statement (Patent L.R. 4-2(c))	May 23, 2011	June 6, 2011
Last day to request leave to designate additional terms for claims construction JSW Standing Order ¶ 4	May 27, 2011	June 10, 2011
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3) – Includes Expert Testimony. Parties must attach copies of patents, make available file histories to Court for each involved patent	June 10, 2011	June 24, 2011
Completion of Claim Construction Discovery (Patent L.R. 4-3)	July 11, 2011	July 25, 2011
Rambus Opening Claim Construction Brief (Patent L.R. 4-5(a)). 25 page limit	July 25, 2011	August 8, 2011

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EVENT	CURRENT SCHEDULE	PROPOSED SCHEDULE
IBM Responsive Claim Construction Brief (Patent L.R. 4-5(b)). 25 page limit	August 8, 2011	August 22, 2011
Rambus - Reply Brief and any evidence directly rebutting the supporting evidence (Patent L.R. 4-5(c)). - 15 page limit Amended Joint Claim Construction Statement	August 15, 2011	August 29, 2011
Tutorial for the Court	September 7, 2011 at 1:30 p.m.	September 21, 2011, or any later date, subject to the convenience of the Court's calendar
Claim Construction ("Markman") Hearing (Patent L.R. 4-6).	September 21, 2011 at 1:30 p.m.	October 5, 2011, or any later date, subject to the convenience of the Court's calendar

By his signature below, counsel for Defendant attests that counsel for Plaintiff concurs in the filing of this stipulation.

Respectfully submitted,

Dated: May 11, 2011.

/s/ Robert H. Fischer

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 DECLARATION OF ROBERT H. FISCHER; [PROPOSED] ORDER

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Dated: May 11, 2011.

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Date: May 11, 2011

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SUPPORTING DECLARATION OF ROBERT H. FISCHER

I, ROBERT H. FISCHER, declare as follows:

1. I am a partner in the firm Fitzpatrick, Cella, Harper & Scinto, counsel for Defendant International Business Machines Corporation (“IBM”). I submit this declaration in support of the parties' Stipulation Regarding Case Schedule. I make this declaration of my own personal knowledge and will competently testify thereto if called upon to do so.

2. On April 15, 2011, the Court entered a Stipulated Order [Dkt. 60], which sets forth the claim construction briefing schedule for this action. The Stipulated Order also sets the technology tutorial for September 7, 2011, at 1:30 p.m. and the Markman Hearing for September 21, 2011, at 1:30 p.m.

3. The parties, both the respective corporate representatives and outside counsel, have been actively discussing resolution of this case, and have reached a settlement in principle. Accordingly, the parties have met and conferred and agree that continuing the case schedule for two weeks will facilitate preparation of the necessary settlement papers precedent to resolution of this action.

4. The Court previously granted the Stipulated Order to permit settlement discussions. Otherwise, the only time modification in this case was to change the Case Management Conference from December 3, 2010, to January 14, 2011, to coincide with the hearing on Rambus's motion to dismiss in related case, *International Business Machines Corp. v. Rambus Inc.*, No. C 10-04017 JSW. See Dkt. 48.

5. The requested modification in the current case schedule will not affect any other pre-trial deadlines, as the pre-trial schedule has not yet been entered in this case.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
2 correct, and this declaration was executed this 11th day of May, 2011.

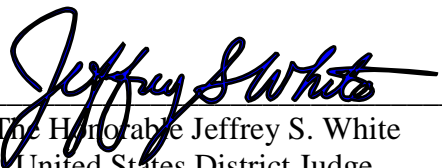
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4 /s/ Robert H. Fischer

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 12, 2011



The Honorable Jeffrey S. White
United States District Judge
Northern District of California